

VETERINARY MEDICINE BOARD[811]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 169.5, the Iowa Board of Veterinary Medicine hereby gives Notice of Intended Action to amend Chapter 5, “Public Records and Fair Information Practices,” and Chapter 13, “Child Support Collection Procedures,” Iowa Administrative Code.

These proposed amendments authorize licensing sanctions for the collection of a debt placed with the Department of Revenue. These sanctions are required by Iowa Code chapter 272D.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 12, 2011. Written comments should be addressed to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319. Comments may be submitted by fax to (515)281-6236 or by E-mail to Margaret.Thomson@IowaAgriculture.gov.

These proposed amendments are subject to the Board’s general waiver provision.

These amendments are intended to implement Iowa Code chapter 272D.

The following amendments are proposed.

ITEM 1. Amend rule 811—5.17(169,252J) as follows:

811—5.17(169,252J,272D) Release of confidential licensing information for ~~child support recovery collection~~ purposes. Notwithstanding any statutory confidentiality provision, the board may share information with the child support recovery unit or with the centralized collection unit of the department of revenue through manual or automated means for the sole purpose of identifying applicants or credential holders subject to enforcement under Iowa Code chapter 252J, ~~or 598~~ or 272D.

ITEM 2. Amend **811—Chapter 13**, title, as follows:

CHILD-SUPPORT COLLECTION PROCEDURES

ITEM 3. Amend rule 811—13.1(169,252J) as follows:

811—13.1(169,252J,272D) Licensing actions. In addition to other reasons specified by statute or rule, the board may refuse to issue a credential; or may revoke, suspend, or not renew any credential for which it has jurisdiction if the board is in receipt of a certificate of noncompliance from the child support recovery unit; pursuant to the procedures set forth in Iowa Code chapter 252J or from the centralized collection unit of the department of revenue pursuant to the procedures set forth in Iowa Code chapter 272D.

An applicant or credential holder whose application is denied or whose credential is denied, suspended, or revoked because of receipt by the board of a certificate of noncompliance issued by the child support recovery unit or by the centralized collection unit of the department of revenue shall be subject to the provisions of rule 811—13.1(169,252J, 272D), ~~and procedures~~. Procedures specified in 811—Chapter 10 for contesting board actions shall not apply.

ITEM 4. Amend rule 811—13.2(169,252J) as follows:

811—13.2(169,252J,272D) ~~Child support collection~~ Collection procedures. The following procedures shall apply to actions taken by the board on a certificate of noncompliance pursuant to Iowa Code chapter 252J or Iowa Code chapter 272D:

13.2(1) The notice required by Iowa Code section 252J.8 or by Iowa Code section 272D.8 shall be served upon the applicant or credential holder by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rule of Civil Procedure 1.305. Alternatively, the applicant or credential holder may accept service personally or through authorized counsel.

13.2(2) The effective date of revocation or suspension of a credential or the denial of the issuance or renewal of a credential, as specified in the notice required by Iowa Code section 252J.8 or by Iowa Code section 272D.8, shall be 60 days following service of the notice upon the credential holder or applicant.

13.2(3) Applicants and credential holders shall keep the board informed of all court actions and all child support recovery unit actions taken under or in connection with Iowa Code chapter 252J ~~and~~ or the centralized collection unit actions taken in connection with Iowa Code chapter 272D. Applicants and credential holders shall provide the board copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code section 252J.9 or pursuant to Iowa Code section 272D.9, all court orders entered in such actions, and withdrawals of certificates of noncompliance by the child support recovery unit or by the centralized collection unit of the department of revenue.

13.2(4) All board fees for applications, credential renewals or reinstatements must be paid by the applicant or credential holder before a credential will be issued, renewed or reinstated after the board has denied the issuance or renewal of a credential or has suspended or revoked a credential pursuant to Iowa Code chapter 252J or pursuant to Iowa Code chapter 272D.

13.2(5) If an applicant or credential holder timely files a district court action following service of a board notice pursuant to Iowa Code sections 252J.8 and 252J.9 or Iowa Code sections 272D.8 and 272D.9, the board shall continue with the intended action described in the notice upon receipt of a court order lifting the stay, dismissing the action, or otherwise directing the board to proceed. For the purpose of determining the effective date of revocation or suspension, or denial of the issuance or renewal of a credential, the board shall count the number of days before the action was filed and the number of days after the action was disposed of by the court.

ITEM 5. Amend **811—Chapter 13**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 169, ~~and~~ 252J and 272D.